

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 429

Short Title: 2025 Public Safety Act. (Public)

Sponsors: Senators Britt, B. Newton, and Daniel (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 25, 2025

A BILL TO BE ENTITLED

AN ACT TO SET LIMITS ON MOTIONS FOR APPROPRIATE RELIEF IN NONCAPITAL CASES; TO BAN HEMP-DERIVED CONSUMABLE PRODUCTS FROM SCHOOL GROUNDS; TO CREATE A NEW CRIMINAL OFFENSE FOR EXPOSING A CHILD TO A CONTROLLED SUBSTANCE; TO INCREASE THE PUNISHMENT FOR POSSESSING A FIREARM OR WEAPON OF MASS DEATH AND DESTRUCTION BY A FELON DURING THE COMMISSION OR ATTEMPTED COMMISSION OF A FELONY; TO REVISE LAWS PERTAINING TO THE DISCLOSURE AND RELEASE OF AUTOPSY INFORMATION COMPILED OR PREPARED BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER; TO INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF SOLICITATION OF MINORS BY COMPUTER; TO REVISE THE LAW GOVERNING THE GRANTING OF IMMUNITY TO WITNESSES; TO REQUIRE CERTAIN PETITIONS PERTAINING TO SEX OFFENDER REGISTRATION BE PLACED ON THE CRIMINAL DOCKET; TO CLARIFY THE STANDING OF DISTRICT ATTORNEYS IN CERTAIN CASES; TO ALLOW PERSONS OUTSIDE OF THIS STATE TO FILE FOR A DOMESTIC VIOLENCE PROTECTION ORDER; TO REVISE THE REQUIREMENT UNDER THE CRIME VICTIMS COMPENSATION ACT THAT CRIMINALLY INJURIOUS CONDUCT BE REPORTED TO LAW ENFORCEMENT WITHIN SEVENTY-TWO HOURS OF ITS OCCURRENCE; TO REVISE THE CRIMINAL OFFENSE OF SECRETLY PEEPING INTO ROOM OCCUPIED BY ANOTHER PERSON; TO REVISE THE LAW PROHIBITING SEXUAL ACTIVITY BY A SUBSTITUTE PARENT OR CUSTODIAN TO INCLUDE RELIGIOUS ORGANIZATIONS OR INSTITUTIONS; TO ESTABLISH AN OFFENSE FOR WRONGFULLY ENTERING A PART OF A BUILDING NOT OPEN TO THE PUBLIC; TO ESTABLISH THE OFFENSE OF LARCENY OF GIFT CARDS; TO REVISE THE ORGANIZED RETAIL THEFT OFFENSE TO INCLUDE OFFENSES INVOLVING GIFT CARDS; TO ALLOW UNLICENSED LAW SCHOOL GRADUATES TO PRACTICE LAW UNDER SUPERVISION; TO CLARIFY THAT FELONY SCHOOL NOTIFICATIONS ARE LIMITED TO CLASS A THROUGH CLASS E FELONIES; TO ALLOW THE TRANSFER OF BIOLOGICAL EVIDENCE BACK TO THE COLLECTING AGENCY FOR PRESERVATION; TO REVISE THE LAW GOVERNING THE RECORDING OF COURT PROCEEDINGS; TO INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF FAILURE TO YIELD THAT RESULTS IN SERIOUS BODILY INJURY; AND TO INCREASE THE PENALTY FOR FAILURE TO YIELD THE RIGHT-OF-WAY TO A BLIND OR PARTIALLY BLIND PEDESTRIAN.

The General Assembly of North Carolina enacts:



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SET LIMITS ON MOTIONS FOR APPROPRIATE RELIEF IN NONCAPITAL CASES

SECTION 1.(a) G.S. 15A-1415 reads as rewritten:

"§ 15A-1415. Grounds for appropriate relief which may be asserted by defendant after verdict; limitation as to time.

(a) ~~At any time after verdict, a noncapital defendant by motion may seek appropriate relief upon any of the grounds enumerated in this section.~~ In a capital case, a defendant may file a postconviction motion for appropriate relief shall be filed based on any of the grounds enumerated in this section within 120 days from the latest of any of the following:

- (1) The court's judgment has been filed, but the defendant failed to perfect a timely ~~appeal; appeal.~~
- (2) The mandate issued by a court of the appellate division on direct appeal pursuant to N.C.R. App. P. 32(b) and the time for filing a petition for writ of certiorari to the United States Supreme Court has expired without a petition being ~~filed; filed.~~
- (3) The United States Supreme Court denied a timely petition for writ of certiorari of the decision on direct appeal by the Supreme Court of North ~~Carolina; Carolina.~~
- (4) Following the denial of discretionary review by the Supreme Court of North Carolina, the United States Supreme Court denied a timely petition for writ of certiorari seeking review of the decision on direct appeal by the North Carolina Court of ~~Appeals; Appeals.~~
- (5) The United States Supreme Court granted the defendant's or the State's timely petition for writ of certiorari of the decision on direct appeal by the Supreme Court of North Carolina or North Carolina Court of Appeals, but subsequently left the defendant's conviction and sentence ~~undisturbed; or undisturbed.~~
- (6) The appointment of postconviction counsel for an indigent capital defendant.

(a1) In a noncapital case, a defendant may file a postconviction motion for appropriate relief based on any of the grounds enumerated in this section within 120 days from the latest of any of the events listed in subdivisions (1) through (5) of subsection (a) of this section.

...."

SECTION 1.(b) G.S. 15A-1419(a)(4) reads as rewritten:

"(4) The defendant failed to file a timely motion for appropriate relief as required by ~~G.S. 15A-1415(a)~~ subsection (a) or (a1) of G.S. 15A-1415."

SECTION 1.(c) This section becomes effective December 1, 2025, and applies to verdicts entered on or after that date.

PROHIBIT USE OF HEMP-DERIVED CONSUMABLE PRODUCTS ON SCHOOL GROUNDS

SECTION 2.(a) The title of Article 29A of Chapter 115C of the General Statutes reads as rewritten:

"Article 29A.

"Policy Prohibiting Use Of ~~Tobacco~~ Tobacco and Hemp-Derived Consumable Products."

SECTION 2.(b) G.S. 115C-407 reads as rewritten:

"§ 115C-407. Policy prohibiting tobacco use in school buildings, grounds, and at school-sponsored events.

(a) ~~Not later than August 1, 2008, local boards of education~~ Governing bodies of public school units shall adopt, implement, and enforce ~~adopt~~ a written policy prohibiting at all times the use of any tobacco product by any person in school buildings, in school facilities, on school campuses, and in or on any other school property owned or operated by the ~~local school administrative~~ public school unit. The policy shall further prohibit the use of all tobacco products

by persons attending a school-sponsored event at a location not listed in this subsection when in the presence of students or school personnel or in an area where smoking is otherwise prohibited by law.

(b) The policy shall include at least all of the following elements:

- (1) Adequate notice to students, parents, the public, and school personnel of the policy.
- (2) Posting of signs prohibiting at all times the use of tobacco products by any person in and on school property.
- (3) Requirements that school personnel enforce the policy.

(c) The policy may permit tobacco products to be included in instructional or research activities in public school buildings if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not include smoking, chewing, or otherwise ingesting the tobacco product.

~~(d) The North Carolina Health and Wellness Trust Fund Commission shall work with local boards of education to provide assistance with the implementation of this policy including providing information regarding smoking cessation and prevention resources. Nothing in this section, G.S. 143-595 through G.S. 143-601, or any other section prohibits a local board of education governing body of a public school unit from adopting and enforcing a more restrictive policy on the use of tobacco in school buildings, in school facilities, on school campuses, or at school-related or school-sponsored events, and in or on other school property."~~

SECTION 2.(c) Article 29A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-407.1. Policy prohibiting use of hemp-derived consumable products in school buildings, grounds, and at school-sponsored events.

(a) For purposes of this section, the term "hemp-derived consumable product" is a hemp product that is a finished good intended for human ingestion or inhalation that contains a delta-9 THC concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis but may contain concentrations of other hemp-derived cannabinoids in excess of that amount. This term does not include hemp products intended for topical application or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration (FDA).

(b) Governing bodies of public school units shall adopt a written policy prohibiting at all times the use of any hemp-derived consumable product by any person in school buildings, in school facilities, on school campuses, on school buses or school transportation service vehicles, and in or on any other school property owned or operated by the public school unit. The policy shall further prohibit the use of all hemp-derived consumable products by persons attending a school-sponsored event at a location not listed in this subsection when in the presence of students or school personnel or in an area where the use of hemp-derived consumable products is otherwise prohibited by law.

(c) The policy shall include at least all of the following elements:

- (1) Adequate notice to students, parents, the public, and school personnel of the policy.
- (2) Posting of signs prohibiting at all times the use of hemp-derived consumable products by any person in and on school property.
- (3) Requirements that school personnel enforce the policy.

(d) The policy may permit hemp-derived consumable products to be included in instructional or research activities in public school buildings if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not include smoking, chewing, or otherwise ingesting or inhaling the hemp-derived consumable product.

(e) Nothing in this section, G.S. 143-595 through G.S. 143-601, or any other section prohibits a governing body of a public school unit from adopting and enforcing a more restrictive policy on the use of hemp-derived consumable products in school buildings, in school facilities, on school campuses, or at school-related or school-sponsored events, and in or on other school property."

SECTION 2.(d) G.S. 115C-218.75 is amended by adding a new subsection to read:

"(a1) Policies Prohibiting Use of Tobacco, Hemp-Derived Consumable Products. – A charter school shall adopt policies prohibiting use of tobacco and hemp-derived consumable products in school buildings, grounds, on school buses or school transportation service vehicles, and at school-sponsored events in accordance with Article 29A of this Chapter."

SECTION 2.(e) G.S. 115C-238.66 is amended by adding a new subdivision to read:

"(7h) Policies prohibiting use of tobacco and hemp-derived consumable products. – A regional school shall adopt policies prohibiting use of tobacco and hemp-derived consumable products in school buildings, grounds, on school buses or school transportation service vehicles, and at school-sponsored events in accordance with Article 29A of this Chapter."

SECTION 2.(f) G.S. 115C-150.12C is amended by adding a new subdivision to read:

"(15a) Policies prohibiting use of tobacco and hemp-derived consumable products. – The board of trustees shall adopt policies prohibiting use of tobacco and hemp-derived consumable products in school buildings, grounds, on school buses or school transportation service vehicles, and at school-sponsored events in accordance with Article 29A of this Chapter."

SECTION 2.(g) G.S. 116-239.8(b) is amended by adding a new subdivision to read:

"(9a) Policies prohibiting use of tobacco and hemp-derived consumable products. – The chancellor shall adopt policies prohibiting use of tobacco and hemp-derived consumable products in school buildings, grounds, on school buses or school transportation service vehicles, and at school-sponsored events in accordance with Article 29A of Chapter 115C of the General Statutes."

SECTION 2.(h) Subdivision (21) of Section 6(d) of S.L. 2018-32 reads as rewritten:

"(21) Article 29A, Policy Prohibiting Use of ~~Tobacco~~ Tobacco and Hemp-Derived Consumable Products."

SECTION 2.(i) This section is effective when it becomes law and applies beginning with the 2026-2027 school year.

CREATE NEW CRIMINAL OFFENSE FOR EXPOSING A CHILD TO A CONTROLLED SUBSTANCE

SECTION 3.(a) Article 39 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-318.7. Exposing a child to a controlled substance.

(a) Definitions. – The following definitions apply in this section:

(1) Child. – Any person who is less than 16 years of age.

(2) Controlled substance. – A controlled substance, controlled substance analogue, drug, marijuana, narcotic drug, opiate, opioid, opium poppy, poppy straw, or targeted controlled substance, all as defined in G.S. 90-87.

(3) Ingest. – Any means used to take into the body, to eat or drink, or otherwise consume, or absorb into the body in any way.

(4) Serious bodily injury. – As defined in G.S. 14-318.4.

(5) Serious physical injury. – As defined in G.S. 14-318.4.

(b) A person who knowingly, recklessly, or intentionally causes or permits a child to be exposed to a controlled substance is guilty of a Class H felony.

(c) A person who knowingly, recklessly, or intentionally causes or permits a child to be exposed to a controlled substance, and as a result the child ingests the controlled substance, is guilty of a Class E felony.

(d) A person who knowingly, recklessly, or intentionally causes or permits a child to be exposed to a controlled substance, and as a result the child ingests the controlled substance, resulting in serious physical injury, is guilty of a Class D felony.

(e) A person who knowingly, recklessly, or intentionally causes or permits a child to be exposed to a controlled substance, and as a result the child ingests the controlled substance, resulting in serious bodily injury, is guilty of a Class C felony.

(f) A person who knowingly, recklessly, or intentionally causes or permits a child to be exposed to a controlled substance, and as a result the child ingests the controlled substance, and the ingestion is the proximate cause of death, is guilty of a Class B1 felony.

(g) The punishments set forth in subsections (b) through (f) of this section apply unless the conduct is covered under some other provision of law providing greater punishment."

SECTION 3.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

INCREASE PUNISHMENT FOR POSSESSING A FIREARM OR WEAPON OF MASS DEATH AND DESTRUCTION BY A FELON DURING THE COMMISSION OR ATTEMPTED COMMISSION OF A FELONY

SECTION 4.(a) G.S. 14-415.1 reads as rewritten:

"§ 14-415.1. Possession of firearms, etc., by felon prohibited.

(a) ~~It shall be~~ is unlawful for any person who has been convicted of a felony to purchase, own, possess, or have in ~~his~~ the person's custody, care, or control any firearm or any weapon of mass death and destruction as defined in G.S. 14-288.8(c). For the purposes of this section, a firearm is (i) any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any firearm muffler or firearm silencer. This section does not apply to an antique firearm, as defined in G.S. 14-409.11.

Every person violating the provisions of this ~~section shall be punished as~~ subsection is guilty of a Class G felon-felony.

(a1) A person who violates subsection (a) of this section during the commission or attempted commission of a felony under (i) this Chapter or (ii) Article 5 of Chapter 90 of the General Statutes is guilty of a Class F felony.

(a2) A person who violates subsection (a) of this section and brandishes a firearm or a weapon of mass death and destruction during the commission or attempted commission of a felony under (i) this Chapter or (ii) Article 5 of Chapter 90 of the General Statutes is guilty of a Class D felony. For the purposes of this subsection, to brandish is to display all or part of the firearm or weapon of mass death and destruction or otherwise make the presence of the firearm or weapon of mass death and destruction known to another person.

(a3) A person who violates subsection (a) of this section and discharges a firearm or a weapon of mass death and destruction during the commission or attempted commission of a felony under (i) this Chapter or (ii) Article 5 of Chapter 90 of the General Statutes is guilty of a Class C felony.

(b) Prior convictions which cause disqualification under this section shall only include:

(1) Felony convictions in North Carolina that occur before, on, or after December 1, 1995; and

(2) Repealed by Session Laws 1995, c. 487, s. 3, effective December 1, 1995.

- (3) Violations of criminal laws of other states or of the United States that occur before, on, or after December 1, 1995, and that are substantially similar to the crimes covered in subdivision (1) which are punishable where committed by imprisonment for a term exceeding one year.

When a person is charged under this section, records of prior convictions of any offense, whether in the courts of this State, or in the courts of any other state or of the United States, shall be admissible in evidence for the purpose of proving a violation of this section. The term "conviction" is defined as a final judgment in any case in which felony punishment, or imprisonment for a term exceeding one year, as the case may be, is authorized, without regard to the plea entered or to the sentence imposed. A judgment of a conviction of the defendant or a plea of guilty by the defendant to such an offense certified to a superior court of this State from the custodian of records of any state or federal court shall be prima facie evidence of the facts so certified.

(c) The indictment charging the defendant under the terms of this section shall be separate from any indictment charging him with other offenses related to or giving rise to a charge under this section. An indictment which charges the person with violation of this section must set forth the date that the prior offense was committed, the type of offense and the penalty therefor, and the date that the defendant was convicted or plead guilty to such offense, the identity of the court in which the conviction or plea of guilty took place and the verdict and judgment rendered therein.

(d) This section does not apply to a person who, pursuant to the law of the jurisdiction in which the conviction occurred, has been pardoned or has had his or her firearms rights restored if such restoration of rights could also be granted under North Carolina law.

(e) This section does not apply and there is no disentitlement under this section if the felony conviction is a violation under the laws of North Carolina, another state, or the United States that pertains to antitrust violations, unfair trade practices, or restraints of trade."

SECTION 4.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

REVISE LAWS PERTAINING TO THE DISCLOSURE AND RELEASE OF AUTOPSY INFORMATION COMPILED OR PREPARED BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER

SECTION 5.(a) G.S. 130A-385 reads as rewritten:

"§ 130A-385. Duties of medical examiner upon receipt of notice; reports; copies.

...

(d) Upon request by the district attorney, the Office of the Chief Medical Examiner, the local medical examiner, and the autopsy center, as applicable, shall provide a complete copy of the medical examiner investigation file to the appropriate district attorney. For purposes of this subsection, the "medical examiner investigation file" means the finalized toxicology report, the finalized autopsy report, any autopsy examination notes, any death scene notes, the finalized report of investigation of a medical examiner, the case encounter form, any case comments, any case notes, any autopsy photographs, any scene photographs, and any video or audio recordings of the autopsy examination in the custody and control of the North Carolina Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, ~~or an investigating medical examiner-examiner, or an autopsy center~~ in connection with a death under criminal investigation by a public law enforcement agency. Each records custodian ~~shall be~~ is responsible for providing the portions of the medical examiner investigation file within its custody and control. This is a continuing disclosure obligation, and each records custodian shall provide to the district attorney any records or other materials responsive to the district attorney's request that are discovered or added to the medical examiner investigation file after the request ~~was made shall also be provided to the~~

~~district attorney.~~ has been made. The district attorney or investigating law enforcement agency shall inform the Chief Medical Examiner, ~~the county medical examiner, or the autopsy center,~~ Examiner, the county medical examiner appointed under G.S. 130A-382, the investigating medical examiner, and the autopsy center, as applicable, ~~if when~~ the death is no longer under criminal investigation and the continuing disclosure obligation ~~is~~ has terminated.

(d1) Any records, worksheets, reports, photographs, tests, or analyses compiled, prepared, or conducted by the Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy center in connection with a death under criminal investigation by a public law enforcement agency or during the pendency of criminal charges associated with a death, including any autopsy photographs or video or audio recordings, shall be treated as records of criminal investigations pursuant to G.S. 132-1.4 and only be disclosed or released to individuals listed in G.S. 130A-389.1(b) and as follows:

(1) The custodian of the finalized autopsy report may release a copy at a time and location determined by the custodial agency to a personal representative of the decedent's estate to enable the personal representative to fulfill his or her duties under the law.

(2) The Office of the Chief Medical Examiner, a pathologist designated by the Chief Medical Examiner, a county medical examiner appointed under G.S. 130A-382, an investigating medical examiner, or an autopsy center is not prohibited from disclosing or releasing information or reports when necessary to address public health or safety concerns; for public health purposes, including public health surveillance, investigations, interventions, and evaluations; to facilitate research; to comply with reporting requirements under State or federal law or in connection with State or federal grants; or to comply with any other duties imposed by law.

Any person who willfully and knowingly discloses or releases materials treated as records of criminal investigations in violation of this subsection, or who willfully and knowingly possesses or disseminates materials treated as records of criminal investigations that were disclosed or released in violation of this subsection, is guilty of a Class 1 misdemeanor; provided, however, that more than one occurrence of disclosure, release, possession, or dissemination of the same item by the same person is not a separate offense. As used in this subsection, the term "disclose" means the act of making materials treated as records of criminal investigation under this subsection available for viewing or listening by a person or entity upon request, at a time and location chosen by the custodial agency, and the term "release" means the act of the custodial agency in providing a copy of materials treated as records of criminal investigation under this subsection.

(d2) Any other person or entity seeking disclosure or release of materials treated as records of criminal investigations under subsection (d1) of this section may commence a special proceeding in the superior court of the county where the death that is the subject of the materials occurred to obtain a court order for disclosure or release of the materials. The court may conduct an in-camera review of the materials. Upon a showing of good cause, a superior court judge may issue an order authorizing the disclosure or release of the materials and may prescribe any restrictions or stipulations that the superior court judge deems appropriate. The petitioner shall provide reasonable notice of the commencement of the special proceeding and reasonable notice of the opportunity to be present and heard at any hearing on the matter in accordance with Rule 5 of the Rules of Civil Procedure. The notice shall be provided, in writing, to the Office of the Chief Medical Examiner, the district attorney of the county in which the death occurred, the personal representative of the estate of the deceased, if any, and the surviving spouse of the deceased. If there is no surviving spouse, then the notice shall be provided to the deceased's parents, and if the deceased has no living parent, then to the adult child of the deceased or to the

guardian or custodian of a minor child of the deceased. In determining good cause, the judge shall consider whether the disclosure or release is necessary for the public evaluation of governmental performance, the seriousness of the intrusion into the family's right to privacy, whether the requested disclosure or release is the least intrusive means available, the need to withhold the records to facilitate the investigation or prosecution of criminal offenses, the rights of the defendant in any ongoing criminal investigation or prosecution, the public interest in having access to the records, and the availability of similar information in other public records, regardless of form. A party aggrieved by an order of the superior court authorized by this subsection may appeal in accordance with Article 27 of Chapter 1 of the General Statutes.

(e) In cases where death occurred due to an injury received in the course of the decedent's employment, the Chief Medical Examiner shall forward to the Commissioner of Labor a copy of the medical examiner's report of the investigation, including the location of the fatal injury and the name and address of the decedent's employer at the time of the fatal injury. The Chief Medical Examiner shall forward this report within 30 days of receipt of the information from the medical examiner.

(f) If a death occurred in a facility licensed subject to Article 2 or Article 3 of Chapter 122C of the General Statutes, or Articles 1 or 1A of Chapter 131D of the General Statutes, and the deceased was a client or resident of the facility or a recipient of facility services at the time of death, then the Chief Medical Examiner shall forward a copy of the medical examiner's report to the Secretary of Health and Human Services within 30 days ~~of~~ after receipt of the report from the medical examiner."

SECTION 5.(b) G.S. 130A-389.1 reads as rewritten:

"§ 130A-389.1. Photographs and video or audio recordings made pursuant to autopsy.

(a) Except as otherwise provided by ~~law~~, law and excluding any materials treated as records of criminal investigations under G.S. 130A-385(d1), any person may inspect and examine original photographs or video or audio recordings of an autopsy performed pursuant to G.S. 130A-389(a) at reasonable times and under reasonable supervision of the custodian of the photographs or recordings. Except as otherwise provided by this section, no custodian of the original recorded images shall furnish copies of photographs or video or audio recordings of an autopsy to the public. For purposes of this section, the Chief Medical Examiner shall be the custodian of all autopsy photographs or video or audio recordings unless the photographs or recordings were taken by or at the direction of an investigating medical examiner and the investigating medical examiner retains the original photographs or recordings. ~~If Except in cases in which the materials are treated as records of criminal investigations under G.S. 130A-385(d1), if the investigating medical examiner has retained the original photographs or recordings, then the investigating medical examiner is the custodian of the photographs or video or audio recordings and must shall~~ allow the public to inspect and examine them in accordance with this subsection.

...

(d) A person who is denied access to copies of photographs or video or audio recordings, or who is restricted in the use the person may make of the photographs or video or audio recordings under this section, may commence a special proceeding in accordance with Article 33 of Chapter 1 of the General Statutes. Upon a showing of good cause, the clerk may issue an order authorizing the person to copy or disclose a photograph or video or audio recording of an autopsy and may prescribe any restrictions or stipulations that the clerk deems appropriate. In determining good cause, the clerk shall consider whether the disclosure is necessary for the public evaluation of governmental performance; the seriousness of the intrusion into the family's right to privacy and whether the disclosure is the least intrusive means available; and the availability of similar information in other public records, regardless of form. In all cases, the viewing, copying, listening to, or other handling of a photograph or video or audio recording of an autopsy shall be under the direct supervision of the Chief Medical Examiner or the Chief Medical Examiner's

designee. A party aggrieved by an order of the clerk may appeal to the appropriate court in accordance with Article 27A of Chapter 1 of the General Statutes. This subsection does not apply to autopsy photographs or video or audio recordings that are treated as records of criminal investigations under G.S. 130A-385(d1), which may be disclosed or released to other persons or entities only in accordance with G.S. 130A-385(d2).

...."

SECTION 5.(c) G.S. 132-1.8 reads as rewritten:

"§ 132-1.8. Confidentiality of photographs and video or audio recordings made pursuant to autopsy.

Except as otherwise provided in G.S. 130A-389.1, a photograph or video or audio recording of an official autopsy is not a public record as defined by G.S. 132-1. However, the text of an official autopsy report, including any findings and interpretations prepared in accordance with G.S. 130A-389(a), is a public record and fully accessible by the ~~public~~, public, unless the report is treated as a record of criminal investigation under G.S. 130A-385(d1). For purposes of this section, an official autopsy is an autopsy performed pursuant to G.S. 130A-389(a)."

SECTION 5.(d) This section becomes effective October 1, 2025.

INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF SOLICITATION OF MINORS BY COMPUTER

SECTION 6.(a) G.S. 14-202.3(c) reads as rewritten:

"(c) Punishment. – A violation of this section is punishable as follows:

- (1) A violation is a Class ~~H-E~~ felony except as provided by subdivision (2) of this subsection.
- (2) If either the defendant, or any other person for whom the defendant was arranging the meeting in violation of this section, actually appears at the meeting location, then the violation is a Class ~~G-C~~ felony."

SECTION 6.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

REVISE THE LAW GOVERNING THE GRANTING OF IMMUNITY TO WITNESSES

SECTION 7.(a) G.S. 15A-1052(b) reads as rewritten:

"(b) The application may be made whenever, in the judgment of the district attorney, the witness has asserted or is likely to assert ~~his-the witness's~~ privilege against self-incrimination and ~~his-the witness's~~ testimony or other information is or will be necessary to the public interest. ~~Before making application to the judge, the district attorney must inform the Attorney General, or a deputy or assistant attorney general designated by him, of the circumstances and his intent to make an application.~~"

SECTION 7.(b) G.S. 15A-1053(b) reads as rewritten:

"(b) The application may be made when the district attorney has been informed by the foreman of the grand jury that the witness has asserted ~~his-the witness's~~ privilege against self-incrimination and the district attorney determines that the testimony or other information is necessary to the public interest. ~~Before making application to the judge, the district attorney must inform the Attorney General, or a deputy or assistant attorney general designated by him, of the circumstances and his intent to make an application.~~"

SECTION 7.(c) This section is effective when it becomes law and applies to applications made on or after that date.

REQUIRE CERTAIN PETITIONS PERTAINING TO SEX OFFENDER REGISTRATION BE PLACED ON THE CRIMINAL DOCKET

SECTION 8.(a) G.S. 14-208.12A(a) reads as rewritten:

"§ 14-208.12A. Request for termination of registration requirement.

(a) Ten years from the date of initial county registration, a person required to register under this Part may petition the superior court to terminate the 30-year registration requirement if the person has not been convicted of a subsequent offense requiring registration under this Article.

If the reportable conviction is for an offense that occurred in North Carolina, the petition shall be filed in the district where the person was convicted of the offense.

If the reportable conviction is for an offense that occurred in another state, the petition shall be filed in the district where the person resides. A person who petitions to terminate the registration requirement for a reportable conviction that is an out-of-state offense shall also do the following: (i) provide written notice to the sheriff of the county where the person was convicted that the person is petitioning the court to terminate the registration requirement and (ii) include with the petition at the time of its filing, an affidavit, signed by the petitioner, that verifies that the petitioner has notified the sheriff of the county where the person was convicted of the petition and that provides the mailing address and contact information for that sheriff.

Regardless of where the offense occurred, if the defendant was convicted of a reportable offense in any federal court, the conviction will be treated as an out-of-state offense for the purposes of this section.

The clerk of court, upon receipt of the petition, shall collect the applicable filing fee and place the petition on the criminal docket to be calendared by the district attorney pursuant to G.S. 7A-49.4."

SECTION 8.(b) G.S. 14-208.12B(b) reads as rewritten:

"(b) The petition shall be filed in the county in which the person resides using a form created by the Administrative Office of the Courts. The petition must be filed with the clerk of court within 30 days of the person's receipt of the notification of the requirement to register from the sheriff. The person filing the petition must serve a copy of the petition on the office of the district attorney and the sheriff in the county where the person resides within three days of filing the petition with the clerk of court. The clerk, upon receipt of the petition, shall collect the applicable filing fee and place the petition on the criminal docket to be calendared by the district attorney pursuant to G.S. 7A-49.4. The petition shall be calendared at the next regularly scheduled term of superior court. At the first setting, the petitioner must be advised of the right to have counsel present at the hearing and to the appointment of counsel if the petitioner cannot afford to retain counsel. Appointment of counsel shall be in accordance with rules adopted by the Office of Indigent Defense Services."

SECTION 8.(c) This section becomes effective December 1, 2025, and applies to petitions filed on or after that date.

ALLOW PERSONS OUTSIDE OF THIS STATE TO FILE FOR A DOMESTIC VIOLENCE PROTECTION ORDER

SECTION 9.(a) G.S. 50B-2(a) reads as rewritten:

"(a) Any person residing in this ~~State~~ State, or ~~seeking relief for acts that have occurred in this State and the defendant resides in this State,~~ may seek relief under this Chapter by filing a civil action or by filing a motion in any existing action filed under Chapter 50 of the General Statutes alleging acts of domestic violence against himself or herself or a minor child who resides with or is in the custody of such person. Any aggrieved party entitled to relief under this Chapter may file a civil action and proceed pro se, without the assistance of legal counsel. The district court division of the General Court of Justice shall have original jurisdiction over actions instituted under this Chapter. Any action for a domestic violence protective order requires that a summons be issued and served. The summons issued pursuant to this Chapter shall require the defendant to answer within 10 days of the date of service. Attachments to the summons shall include the complaint, notice of hearing, any temporary or ex parte order that has been issued, and other papers through the appropriate law enforcement agency where the defendant is to be

served. In compliance with the federal Violence Against Women Act, no court costs or attorneys' fees shall be assessed for the filing, issuance, registration, or service of a protective order or petition for a protective order or witness subpoena, except as provided in G.S. 1A-1, Rule 11."

SECTION 9.(b) This section becomes effective December 1, 2025, and applies to civil actions or motions filed on or after that date.

REVISE REQUIREMENT UNDER THE CRIME VICTIMS COMPENSATION ACT THAT CRIMINALLY INJURIOUS CONDUCT BE REPORTED TO LAW ENFORCEMENT WITHIN 72 HOURS OF ITS OCCURRENCE

SECTION 10.(a) G.S. 15B-11(a) reads as rewritten:

"(a) An award of compensation shall be denied ~~if~~ if any of the following apply:

- (1) The claimant fails to file an application for an award within two years after the date of the criminally injurious conduct that caused the injury or death for which the claimant seeks the ~~award~~ award.
- (2) The economic loss is incurred after one year from the date of the criminally injurious conduct that caused the injury or death for which the victim seeks the award, except in the case where the victim for whom compensation is sought was 10 years old or younger at the time the injury occurred. In that case an award of compensation will be denied if the economic loss is incurred after two years from the date of the criminally injurious conduct that caused the injury or death for which the victim seeks the ~~award~~ award.
- (3) The criminally injurious conduct was not reported to a law enforcement officer or agency within ~~72 hours~~ six months of its occurrence, and there was no good cause for the ~~delay~~ delay.
- (4) The award would benefit the offender or the offender's accomplice, unless a determination is made that the interests of justice require that an award be approved in a particular ~~case~~ case.
- (5) The criminally injurious conduct occurred while the victim was confined in any State, county, or city prison, correctional, youth services, or juvenile facility, or local confinement facility, or half-way house, group home, or similar ~~facility~~ or facility.
- (6) The victim was participating in a felony at or about the time that the victim's injury occurred."

SECTION 10.(b) This section is effective when it becomes law and applies to applications filed on or after that date.

REVISE CRIMINAL OFFENSE OF SECRETLY PEEPING INTO ROOM OCCUPIED BY ANOTHER PERSON

SECTION 11.(a) G.S. 14-202 reads as rewritten:

"§ 14-202. Secretly peeping into room occupied by another person.

(a) Any person who shall peep secretly into any room occupied by another person shall be guilty of a Class 1 misdemeanor.

(a1) Unless covered by another provision of law providing greater punishment, any person who secretly or surreptitiously peeps underneath or through the clothing being worn by another person, through the use of a mirror or other device, for the purpose of viewing the body of, or the undergarments worn by, that other person without their consent shall be guilty of a Class 1 misdemeanor.

(b) ~~For purposes of this section:~~ The following definitions apply in this section:

- (1) ~~The term "photographic image" means any~~ Photographic image. – Any photograph or photographic reproduction, still or moving, or any videotape,

- 1 motion picture, or live television transmission, or any digital image of any
2 individual.
- 3 (2) Private area of an individual. – The naked or undergarment clad genitals,
4 pubic area, buttocks, or female breast of that individual.
- 5 (3) ~~The term "room" shall include, Room. – Includes,~~ but is not limited to, a
6 bedroom, a rest room, a bathroom, a shower, ~~and a dressing room, a~~
7 dressing stall, a cubicle, or other similar area designed to provide privacy.
- 8 (4) Under circumstances in which that individual has a reasonable expectation of
9 privacy. – Means either of the following:
- 10 a. Circumstances in which a reasonable person would believe that he or
11 she could disrobe in privacy, without being concerned that a
12 photographic image of a private area of the individual was being
13 created.
- 14 b. Circumstances in which a reasonable person would believe that a
15 private area of the individual would not be visible to the public,
16 regardless of whether that person is in a public or private place.
- 17 (c) Unless covered by another provision of law providing greater punishment, any person
18 who, while in possession of any device which may be used to create a photographic image, shall
19 secretly peep into any room shall be guilty of a Class A1 misdemeanor.
- 20 (d) Unless covered by another provision of law providing greater punishment, any person
21 who, while secretly peeping into any room, uses any device to create a photographic image of
22 another person in that room for the purpose of arousing or gratifying the sexual desire of any
23 person shall be guilty of a Class I felony.
- 24 (e) ~~Any person who secretly or surreptitiously uses any device to create a photographe~~
25 ~~image of another person underneath or through the clothing being worn by that other person for~~
26 ~~the purpose of viewing the body of, or the undergarments worn by, that other person without~~
27 ~~their consent shall be guilty of a Class I felony.~~
- 28 (e1) Unless covered under some other provision of law providing greater punishment, any
29 person who, with the intent to create a photographic image of a private area of an individual
30 without the individual's consent, knowingly does so under circumstances in which the individual
31 has a reasonable expectation of privacy shall be guilty of a Class I felony.
- 32 (f) Any person who, for the purpose of arousing or gratifying the sexual desire of any
33 person, secretly or surreptitiously uses or installs in a room any device that can be used to create
34 a photographic image with the intent to capture the image of another without their consent shall
35 be guilty of a Class I felony.
- 36 (g) Any person who knowingly possesses a photographic image that the person knows,
37 or has reason to believe, was obtained in violation of this section shall be guilty of a Class I
38 felony.
- 39 (h) Any person who disseminates or allows to be disseminated images that the person
40 knows, or should have known, were obtained as a result of the violation of this section shall be
41 guilty of a Class H felony if the dissemination is without the consent of the person in the
42 photographic image.
- 43 (i) A second or subsequent felony conviction under this section shall be punished as
44 though convicted of an offense one class higher. A second or subsequent conviction for a Class
45 1 misdemeanor shall be punished as a Class A1 misdemeanor. A second or subsequent conviction
46 for a Class A1 misdemeanor shall be punished as a Class I felony.
- 47 (j) If the defendant is placed on probation as a result of violation of this section:
- 48 (1) For a first conviction under this section, the judge may impose a requirement
49 that the defendant obtain a psychological evaluation and comply with any
50 treatment recommended as a result of that evaluation.

(2) For a second or subsequent conviction under this section, the judge shall impose a requirement that the defendant obtain a psychological evaluation and comply with any treatment recommended as a result of that evaluation.

(k) Any person whose image is captured or disseminated in violation of this section has a civil cause of action against any person who captured or disseminated the image or procured any other person to capture or disseminate the image and is entitled to recover from those persons actual damages, punitive damages, reasonable attorneys' fees and other litigation costs reasonably incurred.

(l) When a person violates subsection (d), ~~(e)~~, ~~(e1)~~, (f), (g), or (h) of this section, or is convicted of a second or subsequent violation of subsection (a), (a1), or (c) of this section, the sentencing court shall consider whether the person is a danger to the community and whether requiring the person to register as a sex offender pursuant to Article 27A of this Chapter would further the purposes of that Article as stated in G.S. 14-208.5. If the sentencing court rules that the person is a danger to the community and that the person shall register, then an order shall be entered requiring the person to register.

(m) The provisions of subsections (a), (a1), (c), ~~(e)~~, ~~(e1)~~, (g), (h), and (k) of this section do not apply to either of the following:

(1) Law enforcement officers while discharging or attempting to discharge their official ~~duties~~; or duties.

(2) Personnel of the Division of Prisons of the Department of Adult Correction or of a local confinement facility for security purposes or during investigation of alleged misconduct by a person in the custody of the Division or the local confinement facility.

(n) This section does not affect the legal activities of those who are licensed pursuant to Chapter 74C, Private Protective Services, or Chapter 74D, Alarm Systems, of the General Statutes, who are legally engaged in the discharge of their official duties within their respective professions, and who are not engaging in activities for an improper purpose as described in this section."

SECTION 11.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

REVISE LAW PROHIBITING SEXUAL ACTIVITY BY A SUBSTITUTE PARENT OR CUSTODIAN TO INCLUDE RELIGIOUS ORGANIZATIONS OR INSTITUTIONS

SECTION 12.(a) G.S. 14-27.31(b) reads as rewritten:

"(b) If a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, including a religious organization or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony."

SECTION 12.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

ESTABLISH THE OFFENSE OF LARCENY OF GIFT CARDS AND REVISE THE ORGANIZED RETAIL THEFT OFFENSE TO INCLUDE OFFENSES INVOLVING GIFT CARDS

SECTION 13.(a) Article 16 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-72.12. Larceny of gift cards; receiving stolen gift cards or possessing stolen gift cards.

(a) Definitions. – For purposes of this section, the terms "gift card," "gift card issuer," "gift card redemption information," and "gift card value" are as defined in G.S. 14-86.5.

(b) Offense. – A person commits the offense of larceny of gift cards if the person does any of the following:

- (1) Acquires or retains possession of a gift card or gift card redemption information without the consent of the cardholder or card issuer.
- (2) Obtains a gift card or gift card redemption information from a cardholder or card issuer by means of false or fraudulent pretenses, representations, or promises.
- (3) Alters or tampers with a gift card or its packaging with intent to defraud another.

(c) Punishment. – A violation of this section is a Class 1 misdemeanor if the value of the gift card acquired, retained, or for which the card redemption information is obtained, or is altered or tampered with, is not more than one thousand dollars (\$1,000). Any other violation of this section is a Class H felony."

SECTION 13.(b) G.S. 14-86.5 reads as rewritten:

"§ 14-86.5. Definitions.

The following definitions apply in this Article:

- (1) "Retail property."— Any article, product, commodity, item, or component intended to be sold in retail commerce.Gift card. – A record evidencing a promise, made for monetary consideration, by a seller or issuer that goods or services will be provided to the owner of the record to the value shown in the record. A gift card includes a record that contains a microprocessor chip, magnetic strip, or other storage medium that is prefunded and for which the value is adjusted upon each use, a gift certificate, a stored-value card or certificate, a store card, or a prepaid long-distance telephone service that is activated by a prepaid card that requires dialing an access number or an access code in addition to dialing the phone number to which the user of the prepaid card seeks to connect.
- (2) Repealed by Session Laws 2024-22, s. 2(a), effective December 1, 2024, and applicable to offenses committed on or after that date.
- (3) "Theft."— To take possession of, carry away, transfer, or cause to be carried away the retail property of another with the intent to steal the retail property.Gift card issuer. – Any person or entity that sells, distributes, or supplies a gift card.
- (4) "Value."— The retail value of an item as advertised by the affected retail establishment, to include all applicable taxes.Gift card redemption information. – Any information unique to a gift card that allows the cardholder to access, transfer, or spend the funds on that gift card.
- (5) Gift card value. – The maximum monetary value that can be applied to the card.
- (6) Retail property. – Any article, product, commodity, item, or component intended to be sold in retail commerce.
- (7) Theft. – To take possession of, carry away, transfer, or cause to be carried away the retail property of another with the intent to steal the retail property.
- (8) Value. – The retail value of an item as advertised by the affected retail establishment, to include all applicable taxes."

SECTION 13.(c) G.S. 14-86.6 reads as rewritten:

"§ 14-86.6. Organized retail theft.

(a) Offense. – A person commits the offense of organized retail theft if the person does any of the following:

- (1) Conspires with another person to commit theft of retail property from retail establishments with the intent to sell, transfer, or possess that retail property for monetary or other gain.
- (2) Receives or possesses any retail property that has been taken or stolen in violation of subdivision (1) of this subsection while knowing or having reasonable grounds to believe the property is stolen.
- (3) Conspires with two or more other persons as an organizer, supervisor, financier, leader, or manager to engage for profit in a scheme or course of conduct to effectuate or intend to effectuate the transfer or sale of property stolen from a merchant in violation of this section.
- (4) Conspires with another person to acquire or retain possession of a gift card or gift card redemption information without the consent of the cardholder or card issuer.
- (5) Devises a scheme with one or more persons to obtain a gift card or gift card redemption information from a cardholder or card issuer by means of false or fraudulent pretenses, representations, or promises.
- (6) Conspires with another person to alter or tamper with a gift card or its packaging with intent to defraud another.

...

(a2) Punishments. – The following classifications apply to the offense of organized retail theft:

- (1) An offense when the gift card value or the retail property has a value exceeding one thousand five hundred dollars (\$1,500) aggregated over a 90-day period is a Class H felony.
- (2) An offense when the gift card value or the retail property has a value exceeding twenty thousand dollars (\$20,000) aggregated over a 90-day period is a Class G felony.
- (3) An offense when the gift card value or the retail property has a value exceeding fifty thousand dollars (\$50,000) aggregated over a 90-day period is a Class F felony.
- (4) An offense when the gift card value or the retail property has a value exceeding one hundred thousand dollars (\$100,000) aggregated over a 90-day period is a Class C felony.

...

(c) Multiple Thefts. – Thefts of gift cards, gift card redemption information, or retail property occurring in more than one county may be aggregated into an alleged violation of this section. Each county where a part of the charged offense occurs has concurrent venue as described in G.S. 15A-132."

SECTION 13.(d) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

ESTABLISH AN OFFENSE FOR WRONGFULLY ENTERING A PART OF A BUILDING NOT OPEN TO THE PUBLIC

SECTION 14.(a) G.S. 14-54 is amended by adding a new subsection to read:

"(b1) Any person who knowingly and wrongfully enters any area of a building that is (i) commonly reserved for personnel of a commercial business where money or other property is kept or (ii) clearly marked with a sign that indicates to the public that entry is forbidden is guilty of a Class 1 misdemeanor for a first offense and a Class I felony for a second or subsequent offense."

SECTION 14.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

ALLOW UNLICENSED LAW SCHOOL GRADUATES TO PRACTICE LAW UNDER SUPERVISION

SECTION 15. G.S. 84-7.1 is amended by adding a new subdivision to read:

"(4) Any law school graduate permitted by the North Carolina State Bar to act as a legal intern for a federal, State, local government agency, or for a nonprofit corporation qualified to render legal services pursuant to G.S. 84-5.1."

CLARIFY THAT ALL FELONY SCHOOL NOTIFICATIONS ARE LIMITED TO CLASS A THROUGH CLASS E FELONIES

SECTION 16. G.S. 7B-3101(a) reads as rewritten:

"(a) Notwithstanding G.S. 7B-3000, the juvenile court counselor shall deliver verbal and written notification of any of the following actions to the principal of the school that the juvenile attends:

- (1) A petition is filed under G.S. 7B-1802 that alleges delinquency for an offense that would constitute a Class A, B1, B2, C, D, or E felony if committed by an adult. The principal of the school shall make an individualized decision related to the status of the student during the pendency of the matter and not have an automatic suspension policy.
- (2) The court transfers jurisdiction over a juvenile to the superior court under G.S. 7B-2200.5 or ~~G.S. 7B-2200~~ G.S. 7B-2200 for an offense that would constitute a Class A, B1, B2, C, D, or E felony if committed by an adult.
- (3) The court dismisses under G.S. 7B-2411 the petition that alleges delinquency for an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult.
- (4) The court issues a dispositional order under Article 25 of Chapter 7B of the General Statutes including, but not limited to, an order of probation that requires school attendance, concerning a juvenile alleged or found delinquent for an offense that would be a felony if committed by an adult.
- (5) The court modifies or vacates any order or disposition under G.S. 7B-2600 concerning a juvenile alleged or found delinquent for an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult.

Notification of the school principal in person or by telephone shall be made before the beginning of the next school day. Delivery shall be made as soon as practicable but at least within five days of the action. Delivery shall be made in person or by certified mail. Notification that a petition has been filed shall describe the nature of the offense. Notification of a dispositional order, a modified or vacated order, or a transfer to superior court shall describe the court's action and any applicable disposition requirements. As used in this subsection, the term "offense" does not include any offense under Chapter 20 of the General Statutes."

ALLOW TRANSFER OF BIOLOGICAL EVIDENCE BACK TO THE COLLECTING AGENCY FOR PRESERVATION

SECTION 17. G.S. 15A-268(a3) reads as rewritten:

"(a3) When physical evidence is offered or admitted into evidence in a criminal proceeding of the General Court of Justice, the presiding judge shall inquire of the State and defendant as to the identity of the collecting agency of the evidence and whether the evidence in question is reasonably likely to contain biological evidence and if that biological evidence is relevant to establishing the identity of the perpetrator in the case. If either party asserts that the evidence in question may have biological evidentiary value, and the court so finds, the court shall instruct that the evidence be so designated in the court's records and that the evidence be preserved pursuant to the requirements of this section. The court may order that the evidence be returned

to the collecting agency to be preserved pursuant to subsection (a4) of this section at a request from the district attorney, the clerk, and the collecting agency if the court finds that the collecting agency is better equipped to preserve the evidence and the district attorney, the clerk, and the collecting agency all agree. If the court orders the return pursuant to this subsection, the evidence shall be preserved until such time as the clerk notifies the collecting agency that preservation is no longer required for the period prescribed in subsection (a4) of this section and the period required pursuant to subsection (a6) of this section has also passed."

REVISE LAW GOVERNING THE RECORDING OF COURT PROCEEDINGS

SECTION 18.(a) G.S. 15A-1241 reads as rewritten:

"§ 15A-1241. Record of proceedings.

(a) The trial judge must require that the reporter make a true, complete, and accurate record of all statements from the bench and all other proceedings except:

- (1) Selection of the jury in noncapital cases;
- (2) Opening statements and final arguments of counsel to the jury; and
- (3) Arguments of counsel on questions of law.

(b) Upon motion of any party or on the judge's own motion, proceedings excepted under subdivisions (1) and (2) of subsection (a) of this section must be recorded. The motion for recordation of jury arguments must be made before the commencement of any argument and if one argument is recorded all must be. Upon suggestion of improper argument, when no recordation has been requested or ordered, the judge in his discretion may require the remainder to be recorded.

...."

SECTION 18.(b) This section is effective when it becomes law and applies to proceedings commenced on or after that date.

INCREASE THE PUNISHMENT FOR COMMITTING THE OFFENSE OF FAILURE TO YIELD THAT RESULTS IN SERIOUS BODILY INJURY

SECTION 19.(a) G.S. 20-160.1(a) reads as rewritten:

"(a) Unless the conduct is covered under some other law providing greater punishment, a person who commits the offense of failure to yield while approaching or entering an intersection, turning at a stop or yield sign, entering a roadway, upon the approach of an emergency vehicle, or at highway construction or maintenance shall be punished under this section. When there is serious bodily injury but no death resulting from the violation, the violator is guilty of a Class 2 misdemeanor, which shall be fined include a fine of five hundred dollars (\$500.00) and and, upon conviction, revocation of the violator's drivers license or commercial drivers license ~~shall be suspended~~ for 90 days."

SECTION 19.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

INCREASE THE PENALTY FOR FAILURE TO YIELD THE RIGHT-OF-WAY TO A BLIND OR PARTIALLY BLIND PEDESTRIAN

SECTION 20.(a) G.S. 20-175.2 reads as rewritten:

"§ 20-175.2. Right-of-way at crossings, intersections and traffic-control signal points; white cane or guide dog to serve as signal for the blind.

At any street, road or highway crossing or intersection, where the movement of traffic is not regulated by a traffic officer or by traffic-control signals, any blind or partially blind pedestrian shall be entitled to the right-of-way at such crossing or intersection, if such blind or partially blind pedestrian shall extend before him at arm's length a cane white in color or white tipped with red, or if such person is accompanied by a guide dog. Upon receiving such a signal, all vehicles at or approaching such intersection or crossing shall come to a full stop, leaving a clear lane

1 through which such pedestrian may pass, and such vehicle shall remain stationary until such blind
2 or partially blind pedestrian has completed the passage of such crossing or intersection. At any
3 street, road or highway crossing or intersection, where the movement of traffic is regulated by
4 traffic-control signals, blind or partially blind pedestrians shall be entitled to the right-of-way if
5 such person having such cane or accompanied by a guide dog shall be partly across such crossing
6 or intersection at the time the traffic-control signals change, and all vehicles shall stop and remain
7 stationary until such pedestrian has completed passage across the intersection or crossing. Any
8 person who fails to yield the right-of-way to a blind or partially blind pedestrian as required by
9 this section is guilty of a Class 2 misdemeanor."

10 **SECTION 20.(b)** This section becomes effective December 1, 2026, and applies to
11 offenses committed on or after that date.
12

13 **SEVERABILITY, SAVINGS CLAUSE, AND EFFECTIVE DATE**

14 **SECTION 21.(a)** If any provision of this act or its application is held invalid, the
15 invalidity does not affect other provisions or applications of this act that can be given effect
16 without the invalid provisions or application and, to this end, the provisions of this act are
17 severable.

18 **SECTION 21.(b)** Prosecutions for offenses committed before the effective date of
19 this act are not abated or affected by this act, and the statutes that would be applicable but for
20 this act remain applicable to those prosecutions.

21 **SECTION 21.(c)** Except as otherwise provided, this act is effective when it becomes
22 law.